

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GUADALUPE SOTO JR. AND
CINIA SOTO

VS.

CAT & SONS TRANSPORTATION LLC
AND ORVALEE D. LAIRSON

§
§
§
§
§

CIVIL ACTION NO. _____

JURY TRIAL REQUESTED

**DEFENDANTS CAT AND SONS TRANSPORTATION LLC
AND ORVALEE D. LAIRSON'S NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Defendants, CAT AND SONS TRANSPORTATION LLC and ORVALEE D. LAIRSON, file this Notice of Removal pursuant to 28 U.S.C. §§1441 and 1446, showing the following basis for removal.

INTRODUCTION

1. Plaintiffs, GUADALUPE SOTO JR. and CINIA SOTO filed Plaintiffs' Original Petition against Defendants on June 12, 2017, under Cause No. 2017-39171, pending in the 332nd Judicial District Court, Harris County, Texas. Citations upon the Defendants were issued on June 16, 2017.

2. Defendant, CAT AND SONS TRANSPORTATION LLC, was served by and through the Texas Secretary of State and received Citation and documents on July 10, 2017.

3. Defendant, ORVALEE D. LAIRSON was served by and through the Texas Transportation Commission and received Citation and documents on July 1, 2017.

4. This original Notice of Removal is filed within thirty days of service upon Defendants, CAT AND SONS TRANSPORTATION LLC and ORVALEE D. LAIRSON, the statutory period for removal as required under 28 U.S.C. §1446(b).

JURISDICTION

5. This court has removal jurisdiction over this lawsuit pursuant to 28 U.S.C. §§1441 and 1446, and based upon diversity of citizenship under 28 U.S.C. §1332. Plaintiffs GUADALUPE SOTOR JR. and CINIA SOTO are domiciled in Texas and are citizens of that state. Defendant CAT AND SONS TRANSPORTATION LLC is a limited liability company with its principal place of business in Glendale, Arizona, and all of its members are citizens of that state. In that regard, Defendant CAT AND SONS TRANSPORTATION LLC is a citizen of Arizona. Defendant ORVALEE D. LAIRSON is domiciled in Arizona and a resident of Glendale, Arizona and is therefore a citizen of that state. Thus, there is diversity of citizenship between Plaintiffs and Defendants.

6. Consistent with TEX. R. CIV. P. 47, Plaintiffs seek monetary relief over \$200,000 but not over \$1,000,000.00 in damages in their Original Petition. Plaintiffs seek to recover damages for past and future physical pain and suffering, past and future physical impairment, past and future mental anguish, past and future pecuniary loss, past and future reasonable and necessary medical expenses, and prejudgment interest. Therefore, based on information and belief of Defendants herein, Plaintiffs are seeking damages in excess of this court's jurisdictional minimum of \$75,000.00, excluding interest and costs.

7. All pleadings, process, orders, and other filings in the state court action in the possession of Defendants are attached to this notice as required by 28 U.S.C. §1446(a).

8. Venue is proper in this district under 28 U.S.C. 1331(b)(2) because the sole basis for Plaintiffs' suit and claim for damages arose from an incident that occurred in Harris County, Texas.

9. Defendants will promptly file a copy of this Notice of Removal with the clerk of the state court where the action has been pending.

JURY DEMAND

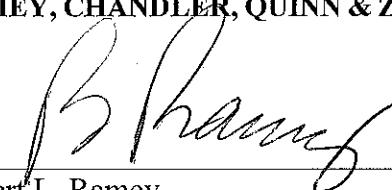
10. Defendants hereby make a demand for a jury trial.

CONCLUSION

For these reasons, CAT AND SONS TRANSPORTATION LLC and ORVALEE D. LAIRSON, therefore give notice of their removal of this lawsuit to this Court, and an automatic stay of further proceedings in state district court.

Respectfully submitted,

RAMEY, CHANDLER, QUINN & ZITO, P.C.



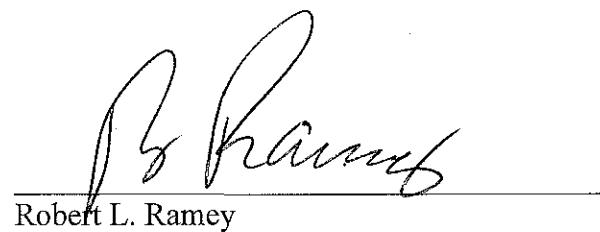
Robert L. Ramey
State Bar No. 16498200
Southern District No. 5535
750 Bering Drive, Suite 600
Houston, Texas 77057
Telephone: (713) 266-0074
Facsimile: (713) 266-1064
Email: rlr@ramey-chandler.com
**ATTORNEYS FOR DEFENDANTS,
CAT AND SONS TRANSPORTATION LLC
and ORVALEE D. LAIRSON**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of *Defendants' Notice of Removal* has been served upon all counsel of record, in accordance with the rules on this 31 day July, 2017.

Timothy E. McKenna
1001 West Loop South, Suite 700
Houston, Texas 77027

Facsimile: (713) 572-1800



A handwritten signature in black ink, appearing to read "R L Ramey". It is written in a cursive style with a long, sweeping flourish.

Robert L. Ramey